

HOUSE BILL No. 1185

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-12.

Synopsis: Purchase and sale of bulk wine by farm wineries. Allows a farm winery to purchase and sell bulk wine.

Effective: July 1, 2002.

Cochran, Kruzan

January 10, 2002, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1185

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 7.1-3-12-5, AS AMENDED BY P.L.235-2001,
- 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2002]: Sec. 5. (a) The holder of a farm winery permit:
- 4 (1) is entitled to manufacture wine and to bottle wine produced by
- 5 the permit holder's farm winery;
- 6 (2) is entitled to serve complimentary samples of the winery's
- 7 wine on the licensed premises;
- 8 (3) is entitled to sell the winery's wine on the licensed premises to
- 9 consumers either by the glass, or by the bottle, or both;
- 10 (4) is entitled to sell wine by the bottle or by the case to a person
- 11 who is the holder of a permit to sell wine at either wholesale or
- 12 retail;
- 13 (5) is exempt from the provisions of IC 7.1-3-14;
- 14 (6) is entitled to advertise the name and address of any retailer or
- 15 dealer who sells wine produced by the permit holder's winery; ~~and~~
- 16 (7) for wine described in IC 7.1-1-2-3(a)(4):
- 17 (A) may allow transportation to and consumption of the wine

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on the licensed premises; and

(B) may not sell, offer to sell, or allow the sale of the wine on the licensed premises; **and**

(8) is entitled to purchase and sell bulk wine as set forth in this chapter.

(b) With the approval of the commission, a holder of a permit under this chapter may conduct business at a second location that is separate from the winery. At the second location, the holder of a permit may conduct any business that is authorized at the first location, except for the manufacturing or bottling of wine.

(c) With the approval of the commission, a holder of a permit under this chapter may, individually or with other permit holders under this chapter, participate in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. The commission may not grant approval under this subsection to a holder of a permit under this chapter for more than nine (9) days in a calendar year.

SECTION 2. IC 7.1-3-12-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 7. (a) Except as provided in subsection (b), a farm winery may purchase annually a quantity of bulk wine that does not exceed the greater of the following:**

(1) Five thousand five hundred (5,500) gallons.

(2) Fifty percent (50%) of the quantity of wine produced by fermentation by the winery during the previous year.

(b) This subsection applies to a farm winery that suffers a loss of wine inventory due to natural or manmade disaster. If the farm winery documents the inventory loss and obtains permission from the commission, the winery may purchase a quantity of bulk wine not greater than the sum of the following:

(1) The quantity of the winery's wine inventory loss.

(2) The quantity of bulk wine that may be purchased by the farm winery annually under subsection (a).

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